

Oct 30, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LISANDRA BESHARA,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:18-CV-03065-MKD

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

ECF Nos. 15, 17

BEFORE THE COURT is the parties' Stipulated Motion for Remand, ECF No. 17, of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney Jeffrey Staples represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**.

2. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g).

1 On remand the administrative law judge (ALJ) shall conduct a new hearing,
2 re-evaluate the evidence, and issue a new decision. The ALJ shall re-evaluate
3 whether Plaintiff's impairments satisfied the requirements of Listing 12.05.

4 3. Judgment shall be entered for **PLAINTIFF**.

5 4. Plaintiff's Motion for Summary Judgment, **ECF No. 15**, is **STRICKEN**
6 **AS MOOT**.

7 5. Upon proper presentation, this Court will consider Plaintiff's application
8 for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

9 The District Court Executive is directed to enter this Order, **enter Judgment**,
10 forward copies to counsel, and **CLOSE THE FILE**.

11 DATED October 30, 2018.

12 s/Mary K. Dimke
13 MARY K. DIMKE
 UNITED STATES MAGISTRATE JUDGE